

DOCKET NO. 175

NUMBER TERM YEAR

375 September 1961

Anthony Hugney

Dorothy A. Hugney

VERSUS

William Coulter

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

ANTHONY HUGNEY and
DOROTHY A. HUGNEY

VS.

WILLIAM COULTER

:
:
: No. 375 September Term, 1961
:
: IN TRESPASS
:

COMPLAINT

NOW, to wit, this 28th day of October, 1961, come the Plaintiffs by their attorneys, Bell, Silberblatt & Swoope, and bring this cause of action against the Defendant, William Coulter, the following whereof is a statement:

(1). The Plaintiffs are adult residents of Frenchville, Covington Township, Clearfield County, Pennsylvania, and were, at the time of the events hereinafter set forth occurred, the owners of a 1958 Chevrolet 4-door motor vehicle.

(2). The Defendant, William Coulter, is an adult individual residing at Punxsutawney, R. D., Jefferson County, Pennsylvania, and was, at the time of the events hereinafter set forth occurred, the operator of a 1955 4-door Chrysler motor vehicle.

(3). On May 14, 1960 at approximately 8:00 p.m. e.d.s.t., the Plaintiff, Anthony Hugney, was operating his motor vehicle on Pennsylvania State Route No. 879 in or near Frenchville, Clearfield County, Pennsylvania, near the intersection of Route No. 879 and Caledonia Pike.

(4). At the time and place aforesaid, the Defendant was operating his motor vehicle on Route No. 879 and was proceeding behind Plaintiffs' motor vehicle.

(5). As the Plaintiff approached the intersection of Route No. 879 and Caledonia Pike, he was planning to make a left turn into Caledonia Pike and had turned his automatic signal device on, indicating an intention to make a left turn, when the Defendant, coming from the rear of the Plaintiff, attempted to pass the Plaintiff on the right side of the highway and caused

(6). The Defendant was negligent in the following manner:

- (a). In operating his car too fast for conditions.
- (b). In failing to have his car under such control as would permit him to stop within the assured clear distance ahead.
- (c). In failing to take into consideration the rights of other users of the highway, and in particular, the rights of the Plaintiff, Anthony Hugney.

(8). The amount claimed by the Plaintiffs is within the jurisdictional amount requiring arbitration in Clearfield County, Pennsylvania.

BELL, SILBERBLATT & SWOOPE
By

Russell S. L. H. H.
Attorneys for Plaintiffs

Before me, the undersigned officer, personally appeared ANTHONY HUGNEY and DOROTHY A. HUGNEY, who depose and state that the facts set forth in the foregoing Complaint are true and correct to the best of their knowledge, information and belief.

Anthony Hugney
Anthony Hugney

Dorothy A. Hugney
Dorothy A. Hugney

William F. Edmunds

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
No. 325 September Term, 1961
IN TRESPASS

ANTHONY HUGNEY and DOROTHY A.
HUGNEY

VS.

WILLIAM COULTER

COMPLAINT

To the within named Defendant:

You are hereby notified to plead
to the within Complaint within
twenty (20) days from the
service hereof.

BELL, SILBERBLATT & SWOOPF
BY

Paul S. Bell
Attorneys for Plaintiffs

FILED
JCT 28 1961

Wm. H. Haggerty
PROTHONOTARY

BELL, SILBERBLATT & SWOOPF
ATTORNEYS AT LAW
CLEARFIELD TRUST CO. BLDG.
CLEARFIELD, PENNA.

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AFFIDAVIT OF SERVICE

Now, February 17, 1962, after due and diligent search, by deputation of Sheriff of Jefferson County (return of Sheriff Paul A. Evans of Jefferson County is attached hereto and made part of this return) the with in named William Coulter, Defendant, could not be found in my bailiwick. Therefore, as to him this Writ is returned, "Nihil Habet".

Costs Sheriff Reese \$7.50
Sheriff Evans \$6.25
(Pd. by Atty. B.S. & E.)

So Answers,

Sworn to before me this 19th
day of February A.D. 1962
Carl E. Walker
Prothonotary

James B. Reese
Sheriff



1. 4

Know all men by these presents, That I, Charles G. Ammerman

Paul A. Evans
High Sheriff of Clearfield County, State of Pennsylvania, do hereby deputize Sheriff of

Jefferson to execute this writ; this deputation being made at the request and risk of the Plaintiff.

Given under my hand and seal this 28th day of October

A. D. 19 61.

Charles G. Ammerman Sheriff.

In the Court of Common Pleas of Clearfield County, Pennsylvania

No. 375 Sept Term, 19 61

VERSUS

NOW, October 28, 1961, I, CHARLES G. AMMERMAN, High Sheriff of Clearfield County, Pa., do hereby deputize Sheriff of Jefferson County to execute this Writ; this deputation being made at the request and risk of the Plaintiff.

Charles G. Ammerman
Charles G. Ammerman
Sheriff of Clearfield Co.

Affidavit of Service

NOW, _____ 19____ at _____ o'clock _____, served the
within _____
upon _____
at _____
by handing to _____
a true and attested copy of the original _____
and made known to _____ the contents thereof.

Sworn and subscribed to before me
this _____ day of _____ 19____.

So Answers,

Sheriff of _____ Co.

BY: _____

COSTS:

SHERIFF'S RETURN

Now, February 16, 1962, after due and diligent search the within named WILLIAM COULTER, Defendant, could not be found in my bailiwick, viz; County of Jefferson, State of Pennsylvania. Therefore, as to him this writ is returned, " Nihil Habet".

My Costs: \$6.25 Paid

Sworn and subscribed
to before me this 16th
day of Feb 1962
Charles E. Rogers Pro.

So Answers,
Paul A. Evans SHERIFF
JEFFERSON COUNTY, PENNSYLVANIA.

Sheriff's Return

COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNA.

No. 375 Sept Term, 19 61

Anthony & Dorothy

A. Hugney

VS.

William Coulter

Paul Silberblatt
Attorney

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

ANTHONY HUGNEY and :
DOROTHY A. HUGNEY :
VS. : No. 375 September Term, 1961
WILLIAM COULTER : IN TRESPASS

COMPLAINT

NOW, to wit, this 28th day of October, 1961, come the Plaintiffs by their attorneys, Bell, Silberblatt & Swoope, and bring this cause of action against the Defendant, William Coulter, the following whereof is a statement:

(1). The Plaintiffs are adult residents of Frenchville, Covington Township, Clearfield County, Pennsylvania, and were, at the time of the events hereinafter set forth occurred, the owners of a 1958 Chevrolet 4-door motor vehicle.

(2). The Defendant, William Coulter, is an adult individual residing at Punxsutawney, R. D., Jefferson County, Pennsylvania, and was, at the time of the events hereinafter set forth occurred, the operator of a 1955 4-door Chrysler motor vehicle.

(3). On May 14, 1960 at approximately 8:00 p.m. e.d.s.t., the Plaintiff, Anthony Hugney, was operating his motor vehicle on Pennsylvania State Route No. 879 in or near Frenchville, Clearfield County, Pennsylvania, near the intersection of Route No. 879 and Caledonia Pike.

(4). At the time and place aforesaid, the Defendant was operating his motor vehicle on Route No. 879 and was proceeding behind Plaintiffs' motor vehicle.

(5). As the Plaintiff approached the intersection of Route No. 879 and Caledonia Pike, he was planning to make a left turn into Caledonia Pike and had turned his automatic signal device on, indicating an intention to make a left turn, when the Defendant, coming from the rear of the Plaintiff, attempted to pass the Plaintiff on the right side of the highway and caused

(6). The Defendant was negligent in the following manner:

- (a). In operating his car too fast for conditions.
- (b). In failing to have his car under such control as would permit him to stop within the assured clear distance ahead.
- (c). In failing to take into consideration the rights of other users of the highway, and in particular, the rights of the Plaintiff, Anthony Hugney.

(7). Prior to the accident, the Plaintiffs' motor vehicle was worth \$1370.00, and as a result of the damages sustained to the said vehicle, it was not worth repairing, and the said vehicle was sold for salvage for \$582.75, leaving a net loss to the Plaintiffs of \$887.25.

(8). The amount claimed by the Plaintiffs is within the jurisdictional amount requiring arbitration in Clearfield County, Pennsylvania.

WHEREFORE, The Plaintiffs bring this action against the Defendant for the liquidated amount of \$887.25. plus damages by reason of delay.

PAUL SILVERBLATT
Attorneys for Plaintiffs

STATE OF PENNSYLVANIA :
 : SS:
COUNTY OF CLEARFIELD :

Before me, the undersigned officer, personally appeared ANTHONY HUGNEY and DOROTHY A. HUGNEY, who depose and state that the facts set forth in the foregoing Complaint are true and correct to the best of their knowledge, information and belief.

ANTHONY HUGNEY /S/

~~DOROTHY A. HUGNEY~~ /5/
Dorothy A. Hugney

Sworn to and subscribed
before me this 26TH day
of OCTOBER, 1961.

WILLIAM F. EDMUNDS

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
No. 225 September Term, 1961
IN TRESPASS

ANTHONY HUGNEY and DOROTHY A.
HUGNEY

VS.

WILLIAM COULTER

COMPLAINT

To the within named Defendant:

You are hereby notified to
plead to the enclosed Complaint
within twenty (20) days from the
service hereof.

BELL, SILBERBLATT & SWOPE
By

Carol Silberblatt
Attorneys for Plaintiff's

I hereby certify this to be a true and
correct copy of the original statement
filed in this case.
Wm. C. Swope

Attest: *Wm. C. Swope*
Teller

BELL, SILBERBLATT & SWOPE
ATTORNEYS AT LAW
CLEARFIELD TRUST CO. BLDG.
CLEARFIELD, PENNA.